

Attorney Docket No. 03-MM-03 85.80038/006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/734,055
Filing Date: December 11, 2003
First Named Inventor: Robert Harold Bateman
Art Unit: 2881
Examiner Name: Johnnie L. Smith
Title: ION DETECTOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Telephone Interview with Examiner and Filing of Terminal Disclaimer

Dear Sir:

In response to a telephone interview with Examiner Smith on or about January 24, 2005, Applicants became aware of a potential double patenting issue. The Examiner indicated to Attorney for Applicants that the Application appeared to be in condition for allowance in all respects but for such double patenting issue. The Examiner suggested that Applicants file a terminal disclaimer with respect to co-pending U. S. Patent Application 10/733,925, filed on December 11, 2003.

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Enclosed for filing in the present Application, please find a terminal disclaimer to obviate a provisional double patenting rejection over a pending "reference" application (PTO/SB/25(09-04) and Statement under 37 CFR 3.73(b).

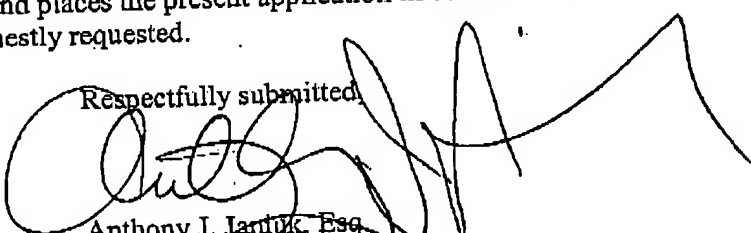
AUTHORIZATION TO CHARGE FEE

The Commissioner is hereby authorized to charge the Terminal Disclaimer fee in the sum of \$110.00 pursuant to 37 C.F.R. 1.20(d) to deposit account no. 23-0503. Should Applicant be mistaken in the calculation of fees the Commissioner has authorization to charge any fee deficiency required by this paper to deposit account no. 23-0503.

Applicants respectfully submit the present terminal disclaimer removes any objection of double patenting and places the present application in condition for allowance, which action is earnestly requested.

Respectfully submitted,

Reg. No. 29,809
February 2, 2005


Anthony J. Janik, Esq.
Attorney for Applicants